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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 CHRISTOPHER HENRY DERAGON, No. 2:02-cv-0526-MCE-JFM-P
12 Petitioner,
13 v. ORDER
14 EDWARD S. ALAMEIDA, JR., et al.,
15 Respondents.
16 _____/

17 Petitioner, a state prisoner proceeding pro se, has timely
18 filed a Notice of Appeal of this Court's April 24, 2006, Denial
19 of his Application for a Writ of Habeas Corpus. Before
20 Petitioner can appeal this decision, a certificate of
21 appealability must issue. 28 U.S.C. § 2253(c); Fed. R. App. P.
22 22(b).

23 A certificate of appealability may issue under 28 U.S.C.
24 § 2253 "only if the applicant has made a substantial showing of
25 the denial of a constitutional right." 28 U.S.C. § 2253(c)(2).
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1 The certificate of appealability must "indicate which specific
2 issue or issues satisfy" the requirement. 28 U.S.C.
3 § 2253(c) (3).

4 A certificate of appealability should be granted for any
5 issue that petitioner can demonstrate is "'debatable among
6 jurists of reason,'" could be resolved differently by a different
7 court, or is "'adequate to deserve encouragement to proceed
8 further.'" Jennings v. Woodford, 290 F.3d 1006, 1010 (9th Cir.
9 2002) (quoting Barefoot v. Estelle, 463 U.S. 880, 893 (1983)).¹

10 Petitioner has made a substantial showing of the denial of a
11 constitutional right in the following issues presented in the
12 instant Petition: whether Petitioner's confession was involuntary
13 and coerced, in violation of the Fifth, Sixth and Fourteenth
14 Amendments to the United States Constitution.

15 Accordingly, IT IS HEREBY ORDERED that a certificate of
16 appealability is issued in the present action.

17 DATED: June 14, 2006

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21 MORRISON C. ENGLAND, JR.
22 UNITED STATES DISTRICT JUDGE
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24 ¹ Except for the requirement that appealable issues be
25 specifically identified, the standard for issuance of a
26 certificate of appealability is the same as the standard that
applied to issuance of a certificate of probable cause.
Jennings, at 1010.